

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In re DAMITREA ANNETTE ROSS,

Debtor,

DAMITREA ANNETTE ROSS,

Appellant,

v.

THE COUNTY OF MIDDLESEX, et al.,

Appellees.

Bankruptcy Action No. 15-30789

**ON APPEAL FROM THE
BANKRUPTCY COURT OF THE
DISTRICT OF NEW JERSEY**

Civil Action No. 16-929 (MAS)

**MEMORANDUM ORDER ON
APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF FEES**

This matter comes before the Court on Appellant Damitrea Annette Ross's ("Appellant") motion to proceed without prepayment of fees under 28 U.S.C. § 1915. (ECF No. 1-4.) Because Appellant did not provide a completed application form, the Court is unable to determine whether Appellant is economically eligible to proceed in forma pauperis. Accordingly,

IT IS on this 13th day of July 2016, **ORDERED** that:

1. Appellant's motion to proceed in forma pauperis (ECF No. 1-4) is **DENIED**;
2. Appellant may refile a completed application to proceed in forma pauperis that complies with the instructions provided on the form that is attached to this Order by **July 29, 2016**; and
3. If Appellant does not refile an application to proceed in forma pauperis by **July 29, 2016**, the Clerk of the Court is ordered to close this case.



MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

AO 239 (Rev. 01/15) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

UNITED STATES DISTRICT COURT

for the

Plaintiff/Petitioner

v.

*Defendant/Respondent*_____
Civil Action No.**APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Long Form)****Affidavit in Support of the Application**

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.

Signed: _____

Instructions

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: _____

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source | Average monthly income amount during the past 12 months | | Income amount expected next month | |
|--|---|--------|-----------------------------------|--------|
| | You | Spouse | You | Spouse |
| Employment | \$ | \$ | \$ | \$ |
| Self-employment | \$ | \$ | \$ | \$ |
| Income from real property <i>(such as rental income)</i> | \$ | \$ | \$ | \$ |
| Interest and dividends | \$ | \$ | \$ | \$ |
| Gifts | \$ | \$ | \$ | \$ |
| Alimony | \$ | \$ | \$ | \$ |
| Child support | \$ | \$ | \$ | \$ |

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| | | | | |
|--|----|----|----|----|
| Retirement (such as social security, pensions, annuities, insurance) | \$ | \$ | \$ | \$ |
| Disability (such as social security, insurance payments) | \$ | \$ | \$ | \$ |
| Unemployment payments | \$ | \$ | \$ | \$ |
| Public-assistance (such as welfare) | \$ | \$ | \$ | \$ |
| Other (specify): | \$ | \$ | \$ | \$ |
| Total monthly income: | \$ | \$ | \$ | \$ |

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| | | | \$ |
| | | | \$ |

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| | | | \$ |
| | | | \$ |
| | | | \$ |

4. How much cash do you and your spouse have? \$ _____

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Financial institution | Type of account | Amount you have | Amount your spouse has |
|-----------------------|-----------------|-----------------|------------------------|
| | | \$ | \$ |
| | | \$ | \$ |
| | | \$ | \$ |

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

| Assets owned by you or your spouse | |
|------------------------------------|----|
| Home (Value) | \$ |
| Other real estate (Value) | \$ |
| Motor vehicle #1 (Value) | \$ |
| Make and year: | |
| Model: | |
| Registration #: | |
| Motor vehicle #2 (Value) | \$ |
| Make and year: | |
| Model: | |
| Registration #: | |
| Other assets (Value) | \$ |
| Other assets (Value) | \$ |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---------------------------------------|--------------------|----------------------------|
| | \$ | \$ |
| | \$ | \$ |
| | \$ | \$ |

7. State the persons who rely on you or your spouse for support.

| Name (or, if under 18, initials only) | Relationship | Age |
|---------------------------------------|--------------|-----|
| | | |
| | | |
| | | |

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8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

| | You | Your spouse |
|---|-----|-------------|
| Rent or home-mortgage payment <i>(including lot rented for mobile home)</i> Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No | \$ | \$ |
| Utilities <i>(electricity, heating fuel, water, sewer, and telephone)</i> | \$ | \$ |
| Home maintenance <i>(repairs and upkeep)</i> | \$ | \$ |
| Food | \$ | \$ |
| Clothing | \$ | \$ |
| Laundry and dry-cleaning | \$ | \$ |
| Medical and dental expenses | \$ | \$ |
| Transportation <i>(not including motor vehicle payments)</i> | \$ | \$ |
| Recreation, entertainment, newspapers, magazines, etc. | \$ | \$ |
| Insurance <i>(not deducted from wages or included in mortgage payments)</i> | | |
| Homeowner's or renter's: | \$ | \$ |
| Life: | \$ | \$ |
| Health: | \$ | \$ |
| Motor vehicle: | \$ | \$ |
| Other: | \$ | \$ |
| Taxes <i>(not deducted from wages or included in mortgage payments) (specify):</i> | \$ | \$ |
| Installment payments | | |
| Motor vehicle: | \$ | \$ |
| Credit card <i>(name):</i> | \$ | \$ |
| Department store <i>(name):</i> | \$ | \$ |
| Other: | \$ | \$ |
| Alimony, maintenance, and support paid to others | \$ | \$ |

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| | | |
|--|----|----|
| Regular expenses for operation of business, profession, or farm <i>(attach detailed statement)</i> | \$ | \$ |
| Other <i>(specify)</i> : | \$ | \$ |
| Total monthly expenses: | \$ | \$ |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?
☐ Yes ☐ No If yes, describe on an attached sheet.
10. Have you spent — or will you be spending — any money for expenses or attorney fees in conjunction with this lawsuit? ☐ Yes ☐ No
 If yes, how much? \$ _____
11. Provide any other information that will help explain why you cannot pay the costs of these proceedings.
12. Identify the city and state of your legal residence.

Your daytime phone number: _____

Your age: _____ Your years of schooling: _____